

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
) Cause No.: 4:22-CR-00298 SRC/SPM
v.)
)
)
ANTHONY “TONY” WEAVER, SR.,)
)
Defendant.)

**DEFENDANT’S OBJECTIONS TO
PRESENTENCE INVESTIGATION REPORT**

COMES NOW Defendant, ANTHONY “TONY” WEAVER, SR., by and through his Attorney, Timothy J. Smith, and for the Defendant’s response to the Presentence Investigation Report, states as follows:

1. Paragraph 16, defendant was not a longtime assistant to Councilwoman Gray.
2. Paragraph 16, Unity PAC has limited if any influence in national, state-wide, or county-wide political election. Unity PAC is a small organization with extremely limited resources and very little political influence.
3. Regarding paragraph 17, there is no evidence that Mr. Weaver attempted to use his previous employment or previous positions to help facilitate the approvals of any fraudulent applications.
4. Regarding paragraph 29 and 30, there are no victims in regard to this offense.

Restitution has not been requested. No government entity lost monies as a result of this offense. The gentleman referred to as “John Smith” was a government informant who was attempting to limit his own potential criminal exposure by

assisting the government. Clearly, the informant (a.k.a. John Smith) was not a victim.

5. Regarding paragraph 37, USSG § 2B 1.1 (b)(12) refer to conduct described under 18 U.S.C Section 1040. 18 U.S.C § 1040 does not apply because Mr. Weaver's actions did not cause the government to authorize transport, transmit, transfer , disburse or pay any benefit. Further, Mr. Weaver's actions or conduct did not involve a benefit as defined by U.S.C § 1040. Therefore, said enhancement does not apply.
6. Regarding paragraph 62, Mr. Weaver did not attempt to use his prior position to influence the councilwoman's position regarding the disbursement of SBR funds.

Respectfully submitted:

RUDMAN & SMITH, LLC

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CERTIFICATE OF SERVICE

I hereby certify on this 3rd day of January 2023; the foregoing was filed electronically with the Clerk of Court to be served by operation of the Federal Court's electronic filing system.

/s/ Timothy J. Smith